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Before the
Federal Communications Commission
Washington, D.C. 20554

NOV 20 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

)
Amendment of Section 73.606(b),)
Table of Allocations,)
TV Broadcast Stations)
(Bellingham and Anacortes,)
Washington))

MM DOCKET NO
RM-792

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To: Chief, Allocations Branch

OPPOSITION TO PETITION FOR RECONSIDERATION

Prism Broadcasting Company, Inc. ("Prism"), permittee of KBCB(TV), Channel 64, Bellingham, Washington, by counsel, hereby respectfully opposes the Petition for Reconsideration ("Petition") filed September 24, 1992, by Darlene C. Paglinawan McHenry ("McHenry") of the Report and Order, DA 92-1067, released August 25, 1992, which amended the Television Table of Allotments by reallocating Channel 24 from Anacortes, Washington to Bellingham, Washington, and reallocating Channel 64 from Bellingham, Washington, to Anacortes, Washington. To the extent that it is deemed necessary, Prism hereby requests a waiver of Section 1.106(g) and 1.429(g) of the Commission Rules to permit this late-filed Opposition. In the alternative, Prism hereby respectfully requests that the Commission consider this pleading as informal comments.

1. In her Petition, McHenry presents three specious point to argue that the Commission reconsider its decision. Each point will be addressed individually below.

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2. McHenry argues that Prism has not demonstrated a public interest in the reallocation. In fact, in Prism's Petition for Rulesmaking a clear public interest demonstration was made evident. McHenry attempts to obfuscate the issues by arguing that Prism waited "until six years after it had received its construction permit to request a channel allotment." Petition, ¶1. First, this is irrelevant. Second, during most of this period, a construction permit was granted to a permittee on Channel 24 at Anacortes.

3. McHenry argues that Prism has not demonstrated that "the Canadian government is 'unlikely' to approve operation at greater than 1,000 KW ERP without limiting ERP toward Vancouver, British Columbia, to less than 1,000 KW ERP." Petition, ¶1. In fact, the short-spacing of Channel 64 at Bellingham assignment with the Channel 63 assignment at Vancouver, British Columbia, Canada, is a specially negotiated situation that was added to relevant treaties in 1980 at the request of the Canadian Department of Communications as part of extensive changes made in Canadian television allotments to permit use of 806-890 MHz for communications services.

4. McHenry argues that Prism should could or should move its transmitter site for Channel 64 to some other sites. Petition, ¶2. McHenry fails, however, to either demonstrate that the sites are comparable or even available. Moreover, it is irrelevant.

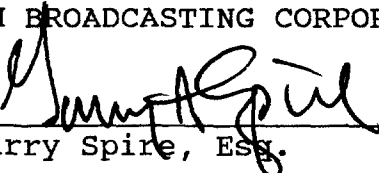
5. Finally, McHenry has failed to realize that as an LPTV displaced channel it is immediately able to apply for a major modification to another channel. Petition, ¶3.

WHEREFORE, Prism respectfully opposes the Petition for Reconsideration filed September 24, 1992, by Darlene C. Paglinawan McHenry ("McHenry") of the Report and Order, DA 92-1067, released August 25, 1992, which amended the Television Table of Allotments by realloting Channel 24 from Anacortes, Washington to Bellingham, Washington, and realloting Channel 64 from Bellingham, Washington, to Anacortes, Washington.

Respectfully submitted,

PRISM BROADCASTING CORPORATION

By


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5 November 1992

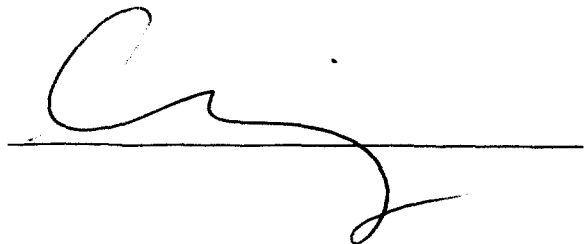
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CERTIFICATE OF SERVICE

I, Lawrence Rogow, hereby certify that on this 5th day of November, 1992, I caused a copy of the foregoing Opposition to Petition for Reconsideration to be served by United States Postal Service, first-class, postage prepaid, to:

Michael C. Ruger
Acting Chief, Allocations Branch
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A handwritten signature in dark ink, appearing to be 'L. Rogow', is written over a horizontal line.